



Order Filed on November 8, 2022
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

20-09931 BKMFR01
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Attorneys for Wilmington Savings Fund Society, FSB,
As Trustee Of Stanwich Mortgage Loan Trust I

In Re:

JAMES PETERS
JUDITH PETERS
A/K/A JAMES D PETERS

Case No: 19-10084-VFP

Hearing Date: November 3,
2022

Judge: VINCENT F.
PAPALIA

Chapter: 13

Recommended Local Form

☐ Followed

☒ Modified

**ORDER RESOLVING MOTION TO VACATE STAY
AND/OR MOTION TO DISMISS WITH CONDITIONS**

The relief set forth on the following pages, numbered two (2) through three (3) is **ORDERED**.

DATED: November 8, 2022

Honorable Vincent F. Papalia
United States Bankruptcy Judge

Applicant: Wilmington Savings Fund Society, FSB, As Trustee Of
Stanwich Mortgage Loan Trust I

Applicant's Counsel: Matthew Fissel, Esquire, Brock & Scott, PLLC

Debtors' Counsel: Darin D Pinto, Esquire

Property Involved ("Collateral"): 1526 Cornell Drive, Linden, NJ 07036-5407

Relief sought: ☒ Motion for relief from the automatic stay

☐ Motion to dismiss

☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtors' future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion is resolved, subject to the following conditions:

1. Status of post-petition arrearages:

☒ The Debtors are overdue for 3 months, from September 1, 2022 to November 1, 2022.

☒ The Debtors are overdue for 3 payments at \$1,777.02 per month.

☐ The Debtor(s) is assessed for _____ late charges at \$ _____ per month.

☐ Applicant acknowledges receipt of funds in the amount of \$ _____ received after the motion was filed.

☒ There is currently \$1,064.50 being held in Debtors' suspense account

Total Arrearages Due: \$4,266.56

2. Debtors must cure all post-petition arrearages, as follows:

☐ Immediate payment shall be made in the amount of \$ _____. Payment shall be made no later than _____.

☒ Beginning on December 1, 2022, regular monthly mortgage payments in the amount of \$1,777.02 shall resume.

☐ Beginning on _____, additional monthly cure payments shall be made in the amount of \$ _____ for _____ months.

☒ The amount of \$4,266.56 shall be capitalized in the debtors' Chapter 13 plan. Debtors shall file a Modified Plan within 15 days of entry of this Order.

3. Payments to the Applicant shall be made to the following address(es):

☐ Immediate payment:

☒ Regular monthly payment:

Carrington Mortgage Services, LLC, BK Dept //
1600 South Douglass Road, Anaheim, CA 92806

☐ Monthly cure payment:

4. In the event of Default:

☒ If the Debtors fail file a Modified Plan within fifteen (15) days from date of this Order or fail to make any regular monthly payment within thirty (30) days of the date it becomes due, then the Applicant may obtain an Order vacating, terminating, and/or annulling the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtors' failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and the Debtors' attorney.

☒ If the bankruptcy case is dismissed or converted, this Agreement is void and the instant bankruptcy case will not act to impose the automatic stay against the Applicant's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

☒ The Applicant is awarded attorney fees of \$500.00, and costs of \$188.00.

The fees and costs are payable:

☒ through the Chapter 13 plan.

☐ to the Applicant within _____ days.

☐ Attorneys' fees are not awarded.

rev.8/1/15